

PLEASE NOTE:  
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FOLLOWING

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

Attorney Docket No.

0459-0393P

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

A SURFACE PLASMON RESONANCE SENSOR

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on January 28, 2000

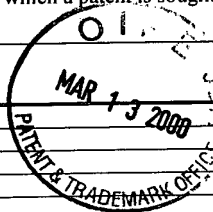
United States Application Number not yet known

and amended on \_\_\_\_\_

the specification was filed on \_\_\_\_\_

International Application Number \_\_\_\_\_

amended under PCT Article 19 on \_\_\_\_\_



\_\_\_\_\_ as

\_\_\_\_\_ (if applicable) and/or

\_\_\_\_\_ as PCT

\_\_\_\_\_ and was

\_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

### Priority Claimed

Insert Priority  
Information:  
(if appropriate)

US 60/118,111  
(Number)

US  
(Country)

February 1, 1999

(Month/Day/Year Filed)

☒ Yes

☐ No

(Number)

(Country)

(Month/Day/Year Filed)

☐ Yes

☐ No

(Number)

(Country)

(Month/Day/Year Filed)

☐ Yes

☐ No

(Number)

(Country)

(Month/Day/Year Filed)

☐ Yes

☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
Application(s):  
(if any)

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country

Application Number

Date of Filing (Month/Day/Year)

Insert Requested  
Information:  
(if appropriate)

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Raymond C. Stewart (Reg. No. 21,066)  
 Joseph A. Kolasch (Reg. No. 22,463)  
 Bernard L. Sweeney (Reg. No. 24,448)  
 Charles Gorenstein (Reg. No. 29,271)  
 Leonard R. Svensson (Reg. No. 30,330)  
 Andrew D. Meikle (Reg. No. 32,868)  
 Joe McKinney Muncy (Reg. No. 32,334)  
 Donald J. Daley (Reg. No. 34,313)  
 John A. Castellano (Reg. No. 35,094)

Terrell C. Birch (Reg. No. 19,382)  
 James M. Slattery (Reg. No. 28,380)  
 Michael K. Mutter (Reg. No. 29,680)  
 Gerald M. Murphy, Jr. (Reg. No. 28,977)  
 Terry L. Clark (Reg. No. 32,644)  
 Marc S. Weiner (Reg. No. 32,181)  
 C. Joseph Faraci (Reg. No. 32,350)  
 John W. Bailey (Reg. No. 32,881)

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MAR 13 2000

PATENT &amp; TRADEMARK

**PLEASE NOTE:  
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 THE  
 FOLLOWING:**



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First  
 or Sole Inventor:  
 Insert Name of  
 Inventor →  
 Insert Date This  
 Document is Signed

Insert Residence  
 Insert Citizenship →

Insert Post Office  
 Address →

Full Name of Second  
 Inventor, if any:  
 see above

Full Name of Third  
 Inventor, if any:  
 see above

Full Name of Fourth  
 Inventor, if any:  
 see above

Full Name of Fifth  
 Inventor, if any:  
 see above

GIVEN NAME/FAMILY NAME Carsten Thirstrup		INVENTOR'S SIGNATURE 	DATE* February 2, 2000
Residence (City, State & Country) Enighedsvej 6, 3.tv., DK-2920 Charlottenlund		CITIZENSHIP Danish	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Enighedsvej 6, 3.tv., DK-2920 Charlottenlund			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

Applicant or Patentee: Vir A/S Case Docket No. 0459-0393P  
Serial or Patent No.: not yet known  
Filed or Issued: 28 January 2000  
or: A surface plasmon resonance sensor

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN



hereby declare that I am

- ☐ the owner of the small business concern identified below.  
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN Vir A/S  
ADDRESS OF CONCERN Kuldysse 10, 2630 Taastrup, Denmark

hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18.

hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled A surface plasmon resonance sensor

inventor (s) THIRSTRUP, Carsten described in

- ☐ the specification filed herewith  
☐ application serial no. not yet known, filed 28 January 2000  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I declare that the right held by the above identified small business concern is not exclusive, and no individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

ALL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

ALL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.  
(37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing hereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Carsten Thirstrup  
TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_  
ADDRESS OF PERSON SIGNING Enighedssvej 6, 3.tv., 2920 Charlottenlund, Denmark

SIGNATURE Carsten Thirstrup DATE 3 February 2000